



## Board of Adjustment Case Report

City of Raleigh  
Planning & Development Department  
One Exchange Plaza  
Raleigh, NC 27601  
(919) 996-2475  
www.raleighnc.gov

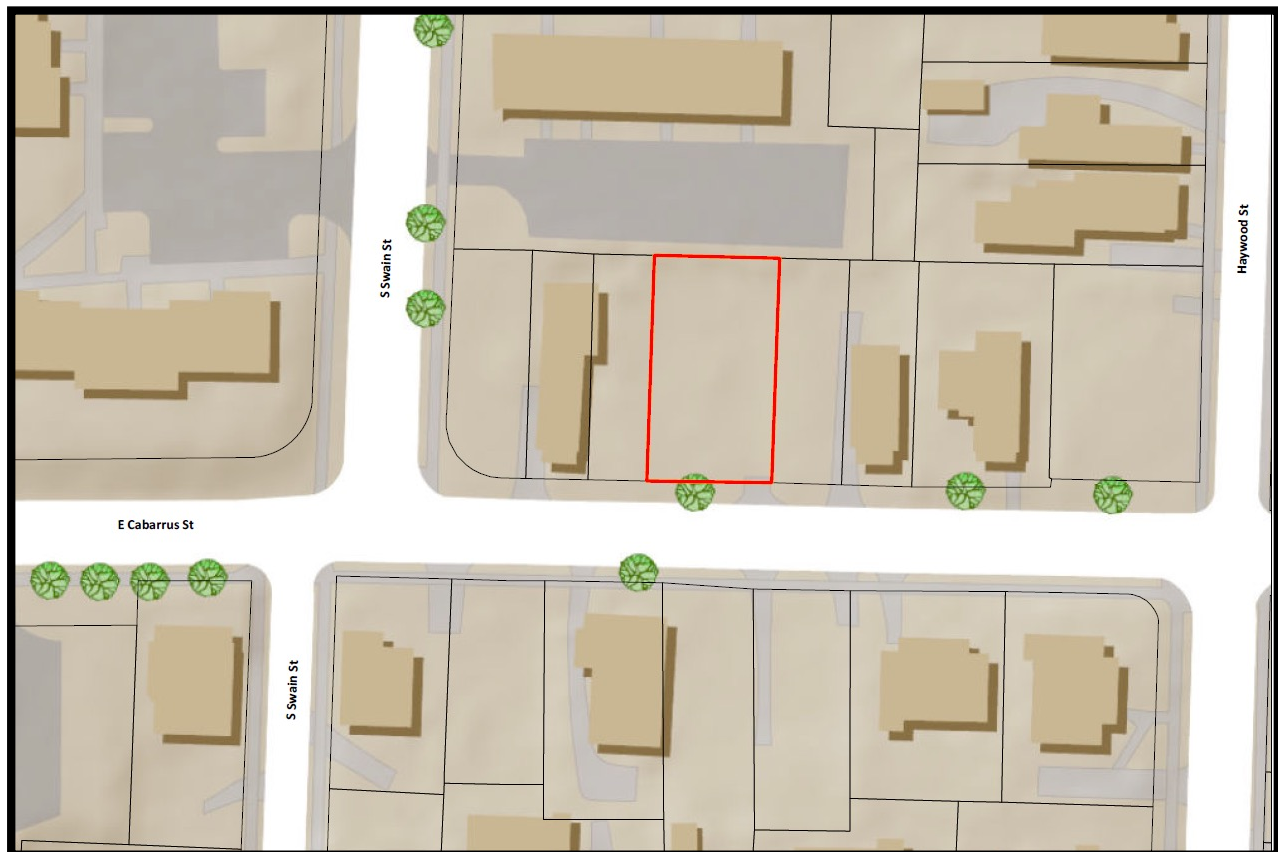
**Case File:** A-43-15

**Property Address:** 581 E. Cabarrus Street

**Property Owner:** City of Raleigh – Housing and Neighborhoods Department

**Project Contact:** Britni Edwards

**Nature of Case:** A request for a 776' square feet reduction in the minimum lot size requirements set forth in Section 10-3032 of the Part 10 Zoning Code to allow for a reconfigured recombination of properties resulting in a 4,224 square foot lot size and a 15' front yard setback variance from the standards set forth in Section 10-2075 of the Part 10 Zoning Code to allow for the construction of a detached house on property zoned Residential-20 located at 581 E. Cabarrus Street.



**581 E. Cabarrus Street – Location Map**

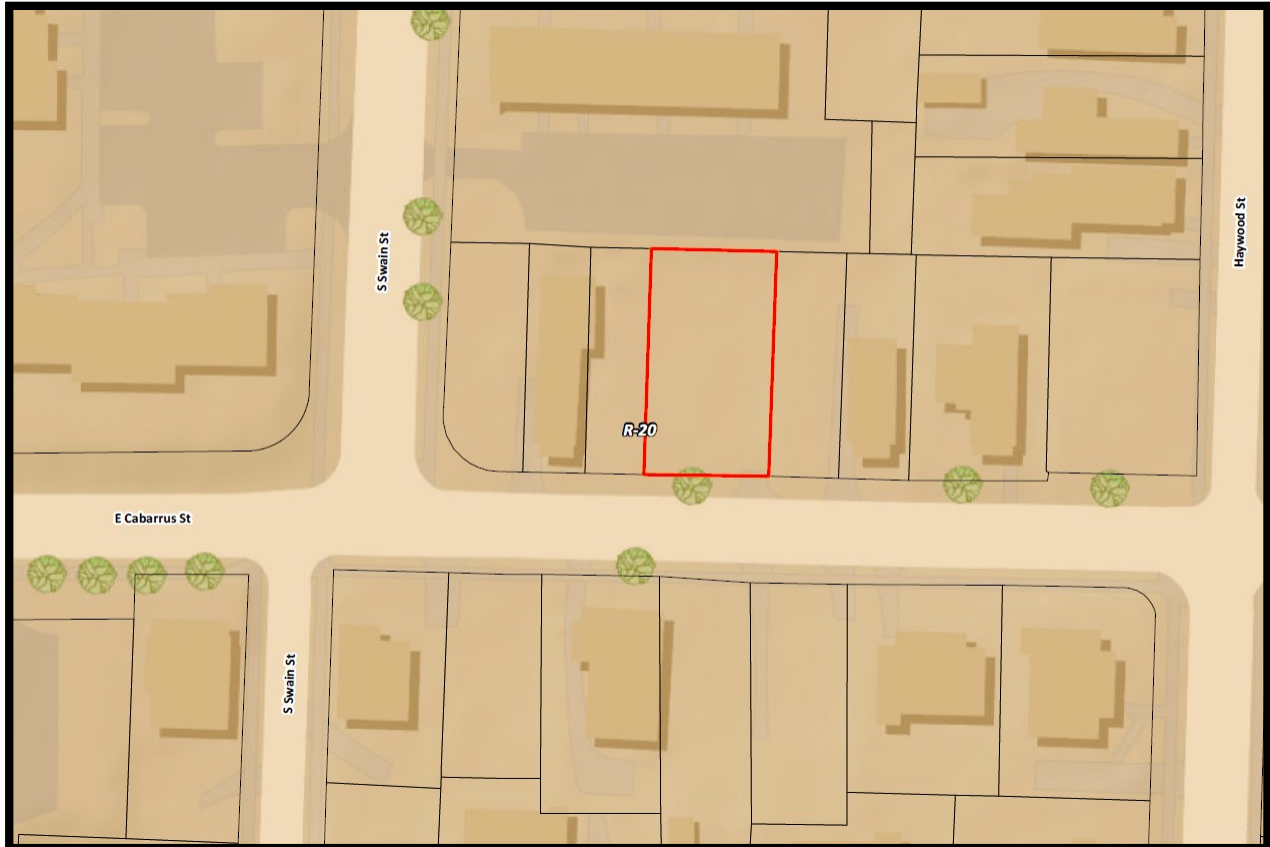
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**To BOA:** 6-8-15

**Staff Coordinator:** Eric S. Hodge, AICP

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**ZONING  
DISTRICTS:** Residential 20



### 581 E. Cabarrus Street – Zoning Map

**VARIANCE STANDARDS:** In accordance with UDO [§10.2.10 Variance](#), before a variance request is granted, the Board of Adjustment shall show all of the following:

1. Unnecessary hardship would result from the strict application of the ordinance. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.
2. The hardship results from conditions that are peculiar to the property, such as location, size or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions

that are common to the neighborhood or the general public, may not be the basis for granting a variance.

3. The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as a self-created hardship.
4. The requested variance is consistent with the spirit, purpose and intent of the ordinance, such that public safety is secured and substantial justice is achieved.

#### **Setback &**

**Lot Standards:** The subject property is zoned Residential 20

	<b>Minimum</b>
Lot Area	5000 sq. ft.
Lot Width	45'
Corner Lot Width	60'
Lot Depth	70'
Front Yard Setback:	20'
Side Yard Setback:	5'
Aggregate Side Yard Setback:	15'
Aggregate Front/Rear Setback:	40'



# Planning & Development

Development Services  
Customer Service Center  
One Exchange Plaza  
1 Exchange Plaza, Suite 400  
Raleigh, North Carolina 27601  
Phone 919-996-2495  
Fax 919-516-2685

## Variance Application

A - 43-15

OFFICE USE ONLY	
Nature of variance request (Submit addendum on separate sheet, if more space is needed.) A variance is being requested to allow a smaller lot size for 581 E Cabarrus Street as a part of a recombination of 0 E Cabarrus Street, 581 E Cabarrus Street, and 585 E Cabarrus Street. Additionally, a reduction of the front yard setback is being requested to maintain a consistent block face (see attached addendum).	Transaction Number
Provide all previous transaction numbers for Coordinated Team Reviews, Due Diligence Sessions or Pre-Submittal Conferences. If this property was the subject of a previous variance request, provide the case number.	

GENERAL INFORMATION		
Property Address 581 E Cabarrus Street	Date 4-29-15	
Property PIN 1713060889	Current Zoning Residential - 20	
Nearest Intersection Cabarrus Street and Swain Street	Property size (in acres) 0.1	
Property Owner City of Raleigh Housing & Neighborhoods Department	Phone 919-996-6967	Fax 919-857-4359
	Email britni.edwards@raleighnc.gov	
Project Contact Person Britni Edwards	Phone 919-996-6967	Fax 919-857-4359
	Email britni.edwards@raleighnc.gov	
Property Owner Signature <i>Marchell Adams David</i>	Email Marchell.Adams-David@raleighnc.gov	
Notary Sworn and subscribed before me this <u>4<sup>TH</sup></u> day of <u>MAY</u> , 20 <u>15</u>	Notary Signature and Seal <i>Leslie H. Eldredge</i> LESLIE H. ELDRIDGE MY COMMISSION EXPIRES NOV. 11, 2018	

It is improper to contact any member of the Board of Adjustment prior to the disposition of a case to discuss the request. A variance application will not be considered complete until all required submittal components listed on the Variance Checklist have been received and approved.





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## Variance Checklist

TO BE COMPLETED BY APPLICANT	YES	N/A
<b>PRE-SUBMITTAL REQUIREMENTS</b>		
1. Pre-Application Conference with staff	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Completed Variance Intake Requirements sheet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Variance applications shall be submitted to the Zoning Division, 4 <sup>th</sup> floor of One Exchange Plaza	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>VARIANCE REQUIREMENTS</b>		
1. The property owner must be the applicant.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. A signed, notarized application and submittal fee are required.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. The applicant must submit stamped envelopes addressed to the property owners within 100 feet of the subject property. City staff will mail the public hearing notices.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. The Board of Adjustment conducts a quasi-judicial hearing. You may not contact the Board members once the application has been filed.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. The Board of Adjustment is not empowered to modify zoning lines or grant a use variance.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. The Board of Adjustment may attach conditions of approval to a variance to protect surrounding properties.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. City Staff will place a public hearing sign on the subject property. The sign must be prominently displayed on the property for at least ten days before the hearing. The property owner is responsible for maintaining the sign during this ten day period. The owner must return the sign to city staff within three days of the hearing. The owner will be charged \$45 for any sign not returned.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>VARIANCE CONSIDERATIONS</b>		
The Board of Adjustment will review all variance requests against the following showings:		
1. Unnecessary hardship would result from the strict application of the ordinance. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made from the property.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. The hardship results from conditions that are peculiar to the property, such as location, size or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as a self-created hardship.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. The requested variance is consistent with the spirit, purpose and intent of the ordinance, such that public safety is secured and substantial justice is achieved.	<input checked="" type="checkbox"/>	<input type="checkbox"/>



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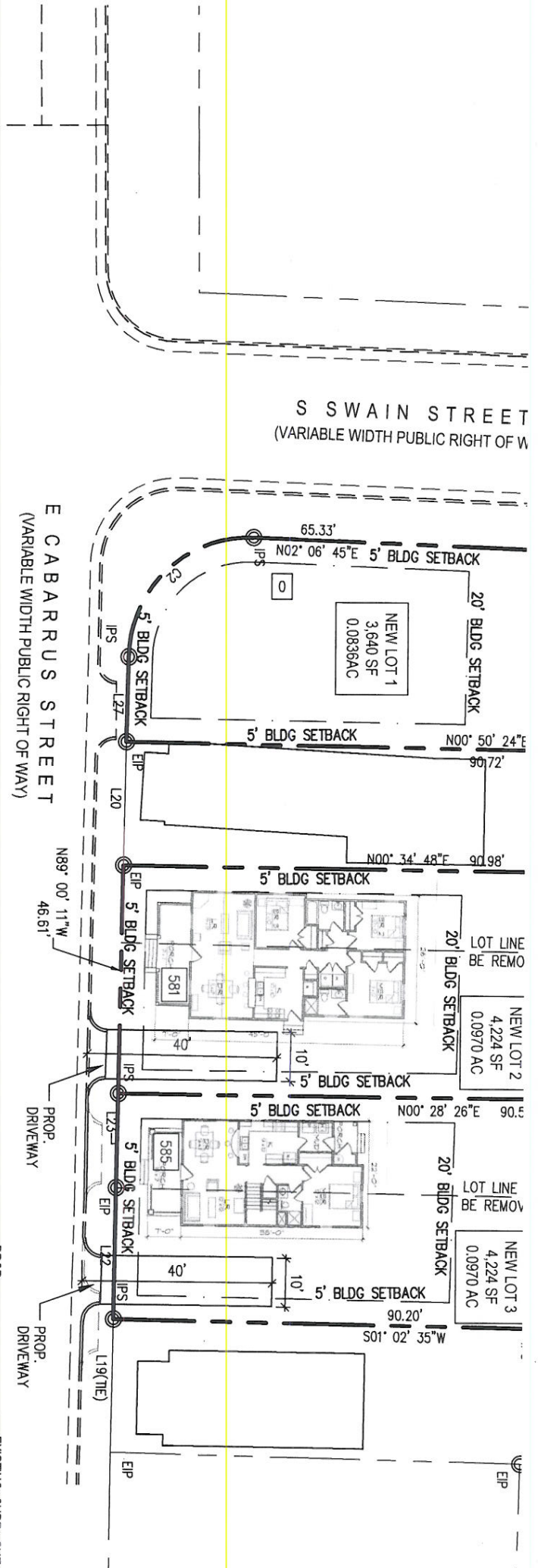
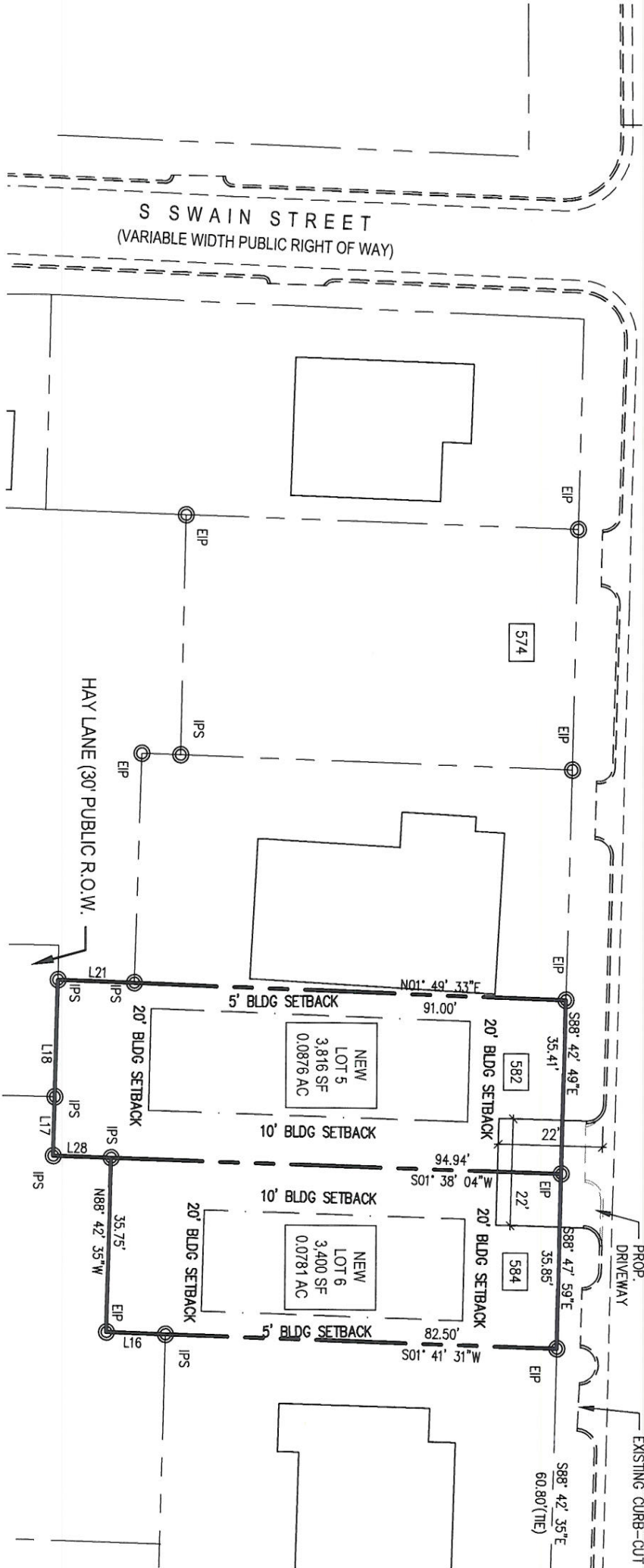
## Variance Intake Requirements

TO BE COMPLETED BY APPLICANT			COMPLETED BY CITY STAFF		
	YES	N/A	YES	NO	N/A
<b>General Requirements – Variance</b>					
1. I have referenced the <b>Variance Checklist</b> and by using this as a guide, it will ensure that the application is processed in a timely manner	<input checked="" type="checkbox"/>				
2. Variance application review fee (see <b>Development Fee Schedule</b> for rate)	<input checked="" type="checkbox"/>				
3. Completed, notarized application signed by the property owner	<input checked="" type="checkbox"/>				
4. One set of stamped envelopes addressed to all property owners within 100 feet of the subject property	<input checked="" type="checkbox"/>				
5. List of all adjacent property owners	<input checked="" type="checkbox"/>				
6. Plot Plan drawn to scale, containing a north arrow, area of lot, location of all existing improvements and use areas, location of proposed improvements, location of any constraints such as flood plain area, tree conservation area, buffer yards, easements, and sight distance triangles	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
7. If the variance request involves a structure, sign or fence, architectural elevations must be submitted	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
8. If the property has been cited by a Code Enforcement Officer, include a copy of the citation	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
9. Is variance needed to legalize an existing improvement?	<input type="checkbox"/>	<input checked="" type="checkbox"/>			

#### 581 E Cabarrus Street Variance Application Addendum

The lot reduction request for 581 E Cabarrus Street will result in a 4,224 SF lot that meets the minimum width and depth requirements. This is 776 SF smaller than the current Residential-20 zoning requirements of a 5000 SF lot. Additionally, a 15' reduction in the front yard setback is being requested, resulting in a 5' front yard setback. This front yard setback will place the new house in line with the existing houses on the block.



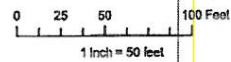




12-43-15



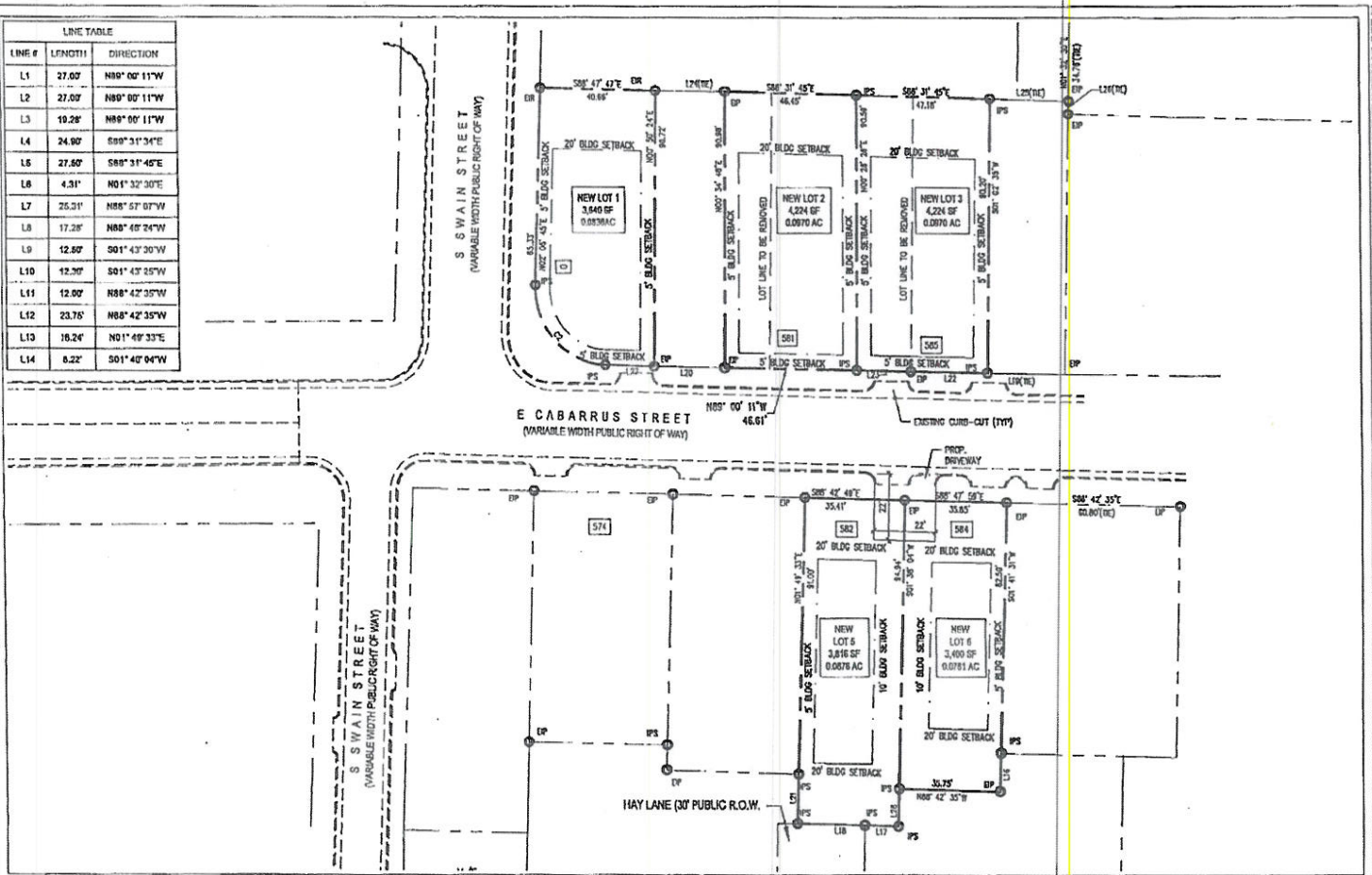
581 & 585 E. Cabarrus and 0 S. Swain Streets - EXISTING SETBACKS -



**Disclaimer**  
Maps makes every effort to produce and publish the most current and accurate information possible. However, the maps are produced for information purposes, and are NOT surveys. No warranties, expressed or implied, are provided for the data therein, its use, or its interpretation.

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LINE TABLE		
LINE #	LENGTH	DIRECTION
L1	27.60'	N80°00'11"W
L2	27.50'	N80°00'11"W
L3	19.28'	N80°00'11"W
L4	24.90'	S80°31'34"E
L5	27.50'	S80°31'45"E
L6	4.31'	N01°32'30"E
L7	25.31'	N85°57'07"W
L8	17.28'	N80°10'24"W
L9	12.50'	S01°43'30"W
L10	12.30'	S01°43'30"W
L11	12.50'	N80°42'35"W
L12	23.75'	N05°42'35"W
L13	18.76'	N01°49'33"E
L14	8.22'	S01°40'04"W



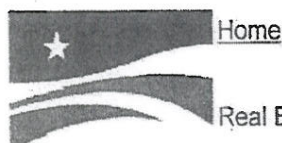
**JDAVIS**

**581 & 585 E. Carabbus & O Swain Streets**  
City of Raleigh Community Development Center  
Raleigh, North Carolina

Date: May 07, 2015





[Home](#)

## Wake County Real Estate Data Account Summary

[iMaps](#)[Tax Bills](#)

Real Estate ID 0065388 PIN # 1713060889

Account  
Search
 Location Address  
 581 E CABARRUS ST 581 E CABARRUS STREET

[Pin/Parcel History](#) [Search Results](#) [New Search](#)

NORTH CAROLINA

[Account](#) | [Buildings](#) | [Land](#) | [Deeds](#) | [Notes](#) | [Sales](#) | [Photos](#) | [Tax Bill](#) | [Map](#)

For real estate accounts created or new construction built after January 1, 2015: Property values are under review for tax year 2016. Land and building values on these properties will reflect an assessment based on the January 1, 2008 Schedule of Values until late 2015 or early 2016 at which time the January 1, 2016 revaluation values for both land and buildings will be available.

<b>Property Owner</b> <b>RALEIGH CITY OF</b> Use the Deeds tab above to view any additional owners		<b>Owner's Mailing Address</b> <b>PO BOX 590</b> <b>RALEIGH NC 27602-0590</b>		<b>Property Location Address</b> <b>581 E CABARRUS ST</b> <b>RALEIGH NC 27601-1966</b>	
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<b>Administrative Data</b>		<b>Transfer Information</b>		<b>Assessed Value</b>	
Old Map #	B011-B0059-0039	Deed Date	3/9/1998	Land Value	\$28,000
Map/Scale	1713 09	Book & Page	07944 0684	Assessed	
VCS	01RA549	Revenue Stamps	88.00	Bldg. Value	
City	RALEIGH	Pkg Sale Date	3/9/1998	Assessed	
Fire District		Pkg Sale Price	\$44,000		
Township	RALEIGH	Land Sale Date		Tax Relief	
Land Class	EXEMPT	Land Sale Price			
ETJ	RA				
Spec Dist(s)		<b>Improvement Summary</b>		Land Use Value	
Zoning	R-20	Total Units	0	Use Value Deferment	
History ID 1		Recycle Units	0	Historic Deferment	
History ID 2		Apt/SC Sqft		Total Deferred Value	
Acreage	.10	Heated Area			
Permit Date	8/27/1998			Use/Hist/Tax Relief	
Permit #	0000041967			Assessed	
				Total Value	\$28,000
				Assessed*	

\*Wake County assessed building and land values reflect the market value as of January 1, 2008, which is the date of the last county-wide revaluation. Any inflation, deflation or other economic changes occurring after this date does not affect the assessed value of the property and cannot be lawfully considered when reviewing the value for adjustment.

The January 1, 2008 values will remain in effect until the next county-wide revaluation, which begins January 1, 2016. Until that time, any real estate accounts created or new construction built is assessed according to the 2008 Schedule of Values.

For questions regarding the information displayed on this site, please contact the Revenue Department at [RevHelp@wakegov.com](mailto:RevHelp@wakegov.com) or call 919-856-5400.



PIN # 1713060889

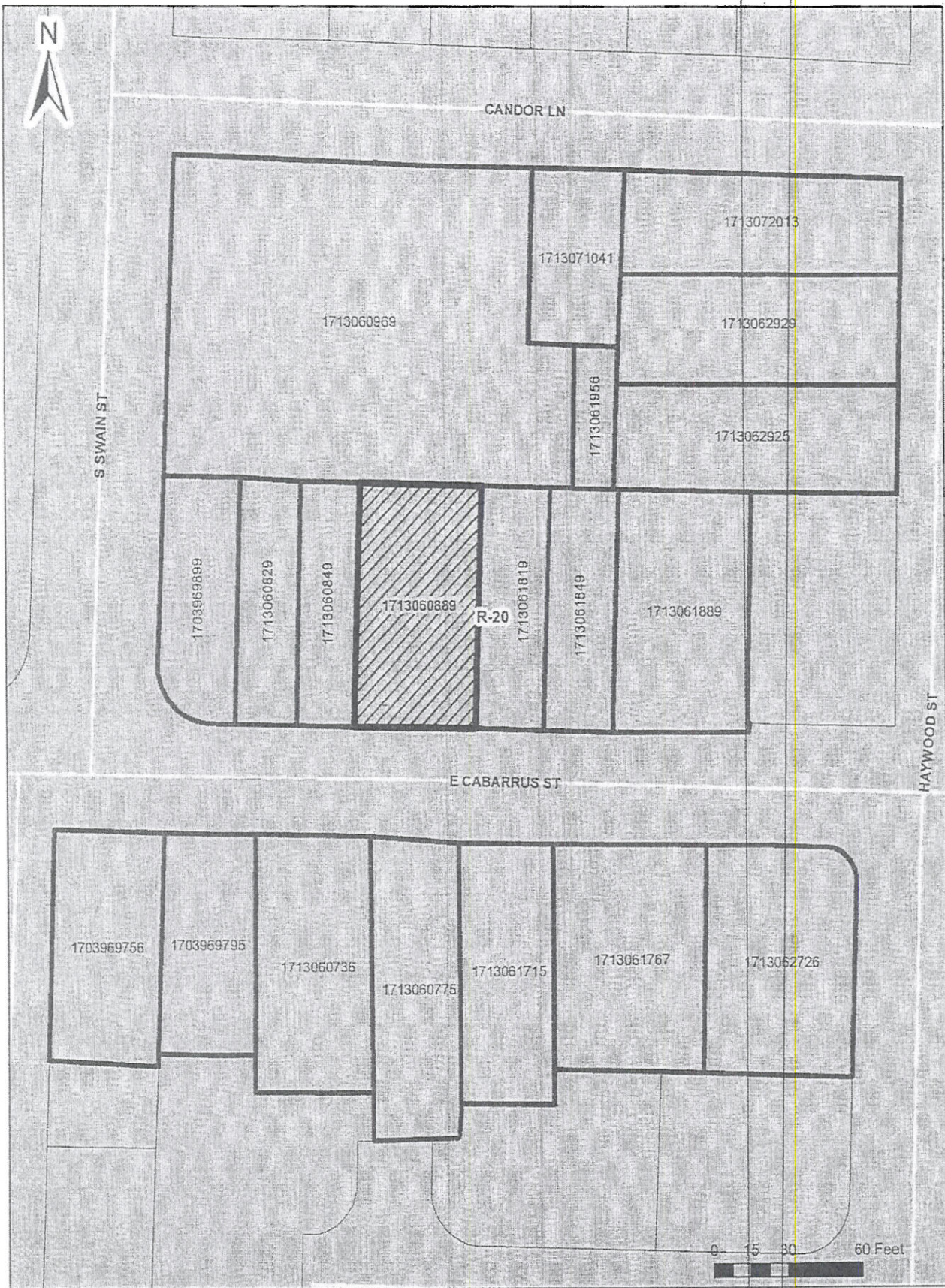
Property Description  
581 E CABARRUS STREET

Account  
Search

[Pin/Parcel History](#) [Search Results](#) [New Search](#)

Account	Buildings	Land	Deeds	Notes	Sales	Photos	Tax Bill	Map
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581 East Cabarrus Street





1713060889  
RALEIGH CITY OF  
PO BOX 590  
RALEIGH NC 27602-0590

Dup

1703969756  
KURDYS, SEAN FERRELL KURDYS, NIKKI  
JENETTE  
1217 COURTLAND DR  
RALEIGH NC 27604-1338

Dup

1703969795  
RALEIGH CITY OF  
PO BOX 590  
RALEIGH NC 27602-0590

Dup

1703969899  
RALEIGH CITY OF  
PO BOX 590  
RALEIGH NC 27602-0590

Dup

1713060736  
FORD, BRUCE ALEXANDER FORD,  
CAROLINE ELIZABETH MAD...  
578 E CABARRUS ST  
RALEIGH NC 27601-1963

Dup

1713060775  
CITY OF RALEIGH  
PO BOX 590  
RALEIGH NC 27602-0590

Dup

1713060829  
BRZEZICKA, OLGA BRZEZICKI, JERZY M  
803 HUNTSWORTH PL  
CARY NC 27513-9744

Dup

1713060849  
RALEIGH CITY OF  
PO BOX 590  
RALEIGH NC 27602-0590

Dup

1713060969  
DAWKINS, BENJAMIN C  
5862 FARINGDON PL STE 1  
RALEIGH NC 27609-4582

Dup

1713061715  
CITY OF RALEIGH  
PO BOX 590  
RALEIGH NC 27602-0590

Dup

1713061767  
VINSON, ARLENE  
592 E CABARRUS ST  
RALEIGH NC 27601-1963

1713061819  
RALEIGH CITY OF  
PO BOX 590  
RALEIGH NC 27602-0590

Dup

1713061849  
TELEGRAPH ROAD PROPERTIES LLC  
7709 SANDY BOTTOM WAY  
RALEIGH NC 27613-8829

Dup

1713061889  
HOME BUYERS DIRECT LLC  
6139 MISTY RIDGE RD  
BROAD RUN VA 20137-1911

1713061956  
RALEIGH CITY OF  
PO BOX 590  
RALEIGH NC 27602-0590

Dup

1713062726  
GRIFFIN, BERNA  
500 HAYWOOD ST  
RALEIGH NC 27601-1930

1713062925  
TELEGRAPH ROAD PROPERTIES LLC  
7709 SANDY BOTTOM WAY  
RALEIGH NC 27613-8829

Dup

1713062929  
MANLY, JULIE  
106 N EAST ST  
RALEIGH NC 27601-1112

1713071041  
RALEIGH CITY OF  
PO BOX 590  
RALEIGH NC 27602-0590

Dup

1713072013  
TELEGRAPH ROAD PROPERTIES LLC  
7709 SANDY BOTTOM WAY  
RALEIGH NC 27613-8829

Dup